

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TZVIA WEXLER,	:	
Plaintiff	:	
	:	Civil Action
v.	:	No. 19-5760
	:	
CHARMAINE HAWKINS, et al.,	:	
Defendants	:	

STIPULATION

IT IS HEREBY stipulated and agreed by Plaintiff, Tzvia Wexler and Defendants, Charmaine Hawkins and James Koenig, as follows:

1. The Philadelphia Police Department Directives will not be entered or used as affirmative evidence or admitted as evidence at trial.
2. If the witnesses testify at trial a policy related to an action they did or did not take does not exist and such a policy related to that specific action does explicitly exist in the Directives, the Directives will be used only to demonstrate that such a policy exists. Only that specific portion of the policy may be used to impeach the witnesses testimony and show that such a policy exists in the Directive.
3. The Philadelphia Police Department Directives are not a substitution for federal constitutional law or state law and no party will characterize them as such directly or indirectly. No party will characterize a failure to follow Philadelphia Police Department Directives as the basis for a state law or federal constitutional law violation directly or indirectly.
4. Only if necessary, Directives 4.21 and 10.2 will be referenced as the Policies and Procedures of the Philadelphia Police Department in effect on June 9, 2019. If used for impeachment, they may be marked for the record and considered for impeachment; but

they are not to be considered as a substitute for the law with regard to the individual violations alleged by Ms. Wexler.

/s/ Thomas Malone

Thomas B. Malone, Esq.
PA Attorney ID No. 77291
The Malone Firm, LLC
1650 Arch Street, Ste. 2501
Philadelphia, PA 19103
(267) 670-0186
tmalone@themalonefirm.com

Attorney for Plaintiff, Tzvia Wexler

DATED: January 10, 2024

Signed:

/s/ Jonah Santiago-Pagan

Jonah Santiago-Pagan
PA Attorney ID No. 326442
City of Philadelphia Law Dept.
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
(215) 683-5428 (phone)
(215) 683-5397 (fax)
Jonah.santiago-pagan@phila.gov

Attorney for Defendants, Charmaine
Hawkins and James Koenig

BY THE COURT:

CYNTHIA M. RUFÉ, J.